

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3279

IN THE MATTER OF:

Served January 23, 1989

Application of GREYHOUND LINES,)
INC., for Temporary Authority)

Case No. AP-88-41

By Order No. 3263, served December 9, 1988, Greyhound Lines, Inc. (GLI), was conditionally granted temporary authority, contingent upon compliance with the requirements of that order, to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in charter and special operations between points in the Metropolitan District, except transportation solely within the Commonwealth of Virginia. Order No. 3263 also required GLI, as a condition precedent to receiving its grant of temporary authority, to file with the Commission an affidavit certifying compliance with Commission Regulation No. 67 governing identification of vehicles.

By motion filed January 4, 1989, GLI asks the Commission to waive the requirements of Regulation No. 67 as it would pertain to GLI in this proceeding. In support of its motion, GLI states that it operates nearly 4,000 buses throughout the country and, to maximize the efficiencies and economies of operation, any one of these vehicles may be used to perform charter or special operations within the Metropolitan District. GLI estimates that it would cost about \$400,000 to garage and stencil each of its vehicles in compliance with Regulation No. 67. Accordingly, GLI asks the Commission to relieve it from this burden and expense. GLI further asserts that its vehicles are adequately identified and identifiable from its name, logo, colors, and Interstate Commerce Commission number.

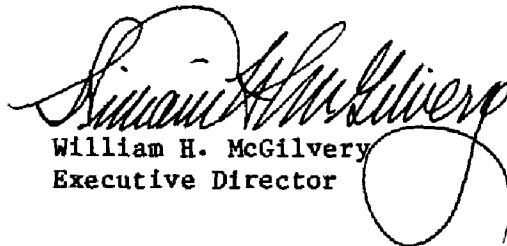
The Commission has considered these and other arguments presented by GLI, and the motion will be granted. In so doing we note that Regulation No. 67-03, which pertains to temporary authority identification, has been deliberately written in such a way as to allow the use of signs or placards which may be installed, removed, and transferred from vehicle to vehicle as needed. However, we are also aware of GLI's unique circumstances, and we will waive this requirement for GLI for the relatively short period of temporary authority. Instead, we require that GLI advise the Commission, in writing, of any written complaint that it receives or that comes to its attention during the period of temporary authority, pertaining to any operations conducted within the Metropolitan District pursuant to such temporary authority. Such written advice shall be filed within ten days of GLI's receipt of such complaint and shall include a copy of the complaint.

GLI is further advised that the Commission considers it important not only that motorists, pedestrians, customers, and others be able to identify a carrier, but also that such persons have an opportunity to identify the agency or agencies that authorize the carrier's operations, in order that such persons may address issues directly with the regulatory body. GLI has "permanent authority" applications pending before this Commission and is advised that the Commission would not be favorably disposed toward a similar waiver if permanent authority should be granted.

Order No. 3263 also provides that the Commission's Executive Director shall notify, in writing, each carrier upon its timely compliance with the requirements of that order, that it may commence operations pursuant to temporary authority. Inasmuch as compliance with Regulation No. 67 was GLI's only further requirement, we hereby pre-empt that instruction as it pertains to GLI and advise GLI that it may commence operations pursuant to temporary authority, and that such temporary authority shall be valid through Friday, June 9, 1989, unless otherwise ordered.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director